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November 3, 2010

**VIA ECF**

Hon. Denis R. Hurley  
U.S. District Court Judge  
Eastern District of New York  
934 Federal Plaza  
Central Islip, New York 11722-1094

**RE: RxUSA v. McKESSON (Docket No. 06 CV 4343)**

Dear Judge Hurley:

The undersigned is counsel to the Plaintiff in the above-referenced matter. This letter application is submitted to request a consent two-week extension in the parties' briefing schedule in connection with Defendant's summary judgment motion. Plaintiff's opposition papers were due on October 29, 2010. Due to some health-related issues, I realized that I would be unable to get the opposition papers completed in time and, on October 28, 2010, I requested that Defendant's counsel agree to a two-week extension in our time to do so. Defendant's counsel consented, provided that Defendant's time to reply was similarly extended for two weeks. We therefore respectfully request that the Court modify, on consent, the briefing schedule so as to extend Plaintiff's time to oppose Defendant's summary judgment motion through and including November 12, 2010, and Plaintiff's time to reply through and including December 27, 2010.

Thank you for your attention.

Respectfully,



MICHAEL LEVINE

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enc.

cc. Terrence J. Connolly, Esq. (Via e-mail)